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P R 261041Z MAY 67
FM AMEMBASSY SAIGON
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Joan Izuberg DATE 10/5/81
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CINCPAC FOR POLAD

SUBJECT: THIEU-KY

REF: SAIGON 26779

1. IN THE COURSE OF A ONE-HOUR CONVERSATION WITH GENERAL THIEU THE MORNING OF MAY 26, I NOTED THE RECENT PRESS REPORTS REGARDING HIS POSSIBLE CANDIDACY FOR PRESIDENT. I SAID I WAS SURE THAT HE WAS AWARE OF OUR CONCERN ABOUT NOT UNDERMINING MILITARY UNITY AND STABILITY IN VIET-NAM. I REFERRED TO THE TALKS WHICH HE AND GENERAL KY HAD HAD WITH THE PRESIDENT AT GUAM AND THE ASSURANCES THAT BOTH HAD GIVEN TO THE PRESIDENT THAT NEITHER OF THEM WOULD ENGAGE IN ANY ACTION WHICH WOULD ENDANGER THIS UNITY.

2. THIEU SAID THAT I COULD REASSURE THE PRESIDENT ON THIS SCORE AND THEN WENT INTO A LENGTHY DESCRIPTION OF HIS OWN VIEW OF WHAT HAD HAPPENED, VERY MUCH ALONG THE LINES OF BUI DIEM'S ACCOUNT LAST EVENING (REFTEL). HE REITERATED HIS ASSURANCES THAT HE WAS A TRUE PATRIOT AND THAT HE HIMSELF WOULD NEVER DO ANYTHING WHICH WOULD CREATE DIVISION WITHIN THE MILITARY OR THE COUNTRY. HE ADDED THAT EVEN IF HE RAN HE DID NOT BELIEVE THAT HE COULD WIN, BUT HE DID NOT FEEL THAT HIS RUNNING WOULD SPLIT THE ARMED FORCES. IF HE DECIDED TO RUN, IT WOULD BE OUT OF A SENSE OF RESPONSIBILITY TO THE COUNTRY AND IF HE LOST, THE FACT THAT A PRESUMED LOSS OF FACE MIGHT BE INVOLVED WOULD NOT BOTHER HIM. IF THE ARMED FORCES HAD MAINTAINED THEIR INTEGRITY, HE WOULD RETURN TO THE SERVICE AND, IF NOT, HE WOULD RETIRE TO PRIVATE LIFE. HE SAID THAT HE SUPPORTED WHOLEHEARTEDLY THE STATEMENT MADE BY GENERAL VIEN THAT THE ARMY SHOULD NOT BE INVOLVED IN THE POLITICAL PROCESS AND HAD REITERATED TO VIEN THAT AS MOD AND CHIEF OF STAFF IT WAS HIS RESPONSIBILITY TO MAKE THIS POLICY STICK. THIEU SAID THAT HE WOULD DO EVERYTHING

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HE COULD ON HIS PART TO MAKE THIS A REALITY, HE INTIMATED SOME EFFORTS TO INVOLVE ELEMENTS OF THE MILITARY HAD ALREADY BEEN MADE BY OTHERS. HE THEN SAID WITH SOME EMOTION, "YOU CAN COUNT ON ME TO BE A PATRIOT. THE PEOPLE DO NOT WANT ANOTHER STRONGMAN GOVERNMENT. THEY DO NOT WANT ANOTHER DIEM. THEY WANT A FREELY ELECTED PRESIDENT AND A CONGRESS AND THEY WANT THE ARMED FORCES TO STAY OUT OF POLITICS AND TO SUPPORT THE GOVERNMENT."

3. THIEU SAID THAT THE ELECTORAL LAW WAS BEING RETURNED TO THE ASSEMBLY WITH RECOMMENDATIONS ALONG THE LINES REPORTED IN SAIGON 26561. HE COMMENTED THAT IN ADDITION TO ALL THE OTHER ELECTIONS - VILLAGE, HAMLET, PRESIDENTIAL AND CONGRESSIONAL - THE COUNTRY COULD NOT STAND ANOTHER ELECTION WHICH A RUNOFF WOULD INVOLVE. THERE WERE ALREADY TOO MANY ELECTIONS IN THE MIDST OF WAR. HE FELT IT WAS IMPORTANT, HOWEVER, TO RESTORE THE DATES WHICH HAD ORIGINALLY BEEN PROPOSED BY THE DIRECTORATE AND TO GET THE NEW ASSEMBLY INSTALLED AS QUICKLY AS POSSIBLE. HE CHARACTERIZED THE PRESENT ASSEMBLY AS AMONG THE POOREST ELECTED IN VIET-NAM, THAT OUT OF 177 MEMBERS, AS A RULE ONLY 60 OR 70 ATTENDED SESSIONS, THE REST NEGLECTING THEIR DUTIES BUT DRAWING THEIR SALARIES, AND THE SOONER IT WAS REPLACED, THE BETTER.

4. COMMENT: THIEU SEEMED SINCERE IN HIS STATEMENT BUT HE DID NOT GIVE ANY INDICATION OF WHAT HIS FINAL DECISION MIGHT BE. WHILE IT IS DIFFICULT TO JUDGE WHAT THIEU'S REAL VIEWS AND MOTIVES ARE, HIS REASSURANCES TO ME AND TO BUI DIEM GIVE REASON TO HOPE THAT HE WILL NOT SEEK TO AGGRAVATE THE FEELINGS THAT HAVE ALREADY BEEN AROUSED. AS I HAVE SAID IN REFTEL, I BELIEVE WE SHOULD CONTINUE TO OBSERVE THE SITUATION AMONG THE GENERALS CLOSELY BUT NOT INTERVENE FURTHER UNLESS THIS SEEMS CLEARLY INDICATED BY A DETERIORATION IN THE SITUATION.

5. I ALSO ASKED FOR AN APPOINTMENT TO SEE KY BUT HE IS OUT OF SAIGON TODAY AND AS I SHALL BE IN I CORPS TOMORROW, I MAY NOT BE able TO SEE HIM UNTIL SUNDAY OR MONDAY.

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NOTE: PASSED S/S-O, WHITE HOUSE, DOD, CIA, 10:56 A.M., 5-26-67.

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POL 14 VIET-S

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RUMJFS/AMEMBASSY VIENTIANE
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UNCLAS SECTION 1 OF 2 SAIGON 26896

CINCPAC FOR POLAD

REF: SAIGON 25936

SUBJECT: NATIONAL ASSEMBLY: MAY 25 SESSION

1. WE WILL HENCEFORTH BE USING TERM "NATIONAL "RATHER THAN "CONSTITUENT" ASSEMBLY, CONSTITUTION REFERS TO BODY AS "NATIONAL ASSEMBLY POPULARLY ELECTED ON SEPTEMBER 11, 1966" AND SUBSEQUENT ASSEMBLY DOCUMENTS HAVE USED SAME TERM ALTHOUGH IT IS FREQUENTLY ABBREVIATED FOR SAKE OF CONVENIENCE.

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2. AT MAY 25 SESSION DEPUTIES BEGAIN ARTICLE BY ARTICLE DEBATE OF UPPER HOUSE ELECTION LAW. THERE WERE 98 DEPUTIES PRESENT, HIGHEST ATTENDEANCE SINCE APRIL 14. GOOD TURN-OUT SPARKED BY RADIO, PRESS AND WORD-OF-MOUTH APPEALS TO ASSEMBLY MEMBERS TO ATTEND SESSIONS. IN ALL, 16 ARTILCES WERE APPROVED DURING SESSION.

3. ARTICLE 1 CHANGED TO READ AS FOLLOWS:
QUOTE BASED ON THE CONSTITUTION OF THE REPUBLIC OF VIETNAM PROMULGATED ON APRIL 1, 1967, THIS LAW SETS FORTH THE PROCEDURES GOVERNING THE FIRST ELECTIONS FOR SENATORS. UNQUTE
4. ARTICLE 2 IS NOW COMBINATION OF OLD ARTICLE 2 AND MODIFIED VERSION OF OLD ARTILCE 3. ARTICLE NOW READS AS FOLLOWS:
QUOTE ARTICLE 2(1) THE ELECTION FOR SENATORS WILL TAKE PLACE ON DECEMBER 17, 1967.

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(2) IF IN ANY LOCALITY ELECTIONS CANNOT BE HELD FOR REASONS BEYOND THEIR CONTROL, MAYORS OR PROVINCE CHIEFS OF THAT LOCALITY ARE AUTHORIZED TO POSTPONE THE ELECTIONS UNTIL THE NEXT MOST FAVORABLE DAY AFTER INFORMING THE ADMINISTRATIVE AGENCIES CONCERNED AND AFTER HAVING OBTAINED THE APPROVAL OF THE LOCAL ELECTION COUNCIL REFERRED TO IN

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ARTICLE 9. UNQUOTE

5. NEW ARTICLE 3 READS:
QUOTE THE UPPER HOUSE HAS SIXTY MEMBERS ELECTED BY UNIVERSAL SUFFRAGE. ELECTION IS BY LIST VOTING AND ON A BASIS OF PLURALITY. UNQUOTE

6. ARTICLES 4 AND 5 WERE APPROVED WITHOUT CHANGE. DATE ORIGINALLY LEFT BLANK IN FIRST PARAGRAPH OF ARTICLE 5 IS AUGUST 10, 1967. DATE LEFT BLANK IN LAST PARAGRAPH SAME ARTICLE IS OCTOBER 13, 1967.
7. DEPUTIES APPROVED FIRST TWO PARAGRAPHS ARTICLE 6 WITHOUT CHANGE. PARAGRAPH 3 NOW READS AS FOLLOWS:
QUOTE ARTICLE 6 (3) IN THIS CASE, THE CHAIRMAN OF THE COMMITTEE IN CHARGE OF THE POLLING STATION MUST DRAW UP AN ADDITIONAL LIST WHICH WILL BE TRANSMITTED TO THE LOCAL ELECTION COUNCIL REFERRED TO IN ARTICLE 9. UNQUOTE

8. ARTICLE 7 APPROVED WITH INSERTION OF THE FOLLOWING DATES, WHICH WERE ORIGINALLY LEFT BLANK: PARA 2, NOVEMBER 11, 1967, PARA 3 NOVEMBER 12, 1967; PARA 4, NOVEMBER 17, 1967; PARA 5, NOVEMBER 27, 1967.
9. ARTICLE 8 MODIFIED TO READ AS FOLLOWS.:

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QUOTE THE PROCEDURES FOR MAKING AND ISSUING VOTERS' CARDS WILL BE DECIDED TY THE CONCERNED ADMINISTRATIVE AGENCY. UNQUOTE
10. ARTICLE 9 APPROVED WITH MODIFICATION TO THIRD PARAGRAPH WHICH NOW READS:
QUOTE ARTICLE 9 (3) THREE REPRESENTATIVES OF MUNICIPAL AND PROVINCIAL COUNCILS WHO ARE NOT CANDIDATES FOR THE UPPER HOUSE, CHOSEN BY LOT. IN LOCALITIES WHERE THERE ARE NO MUNICIPAL OR PROVINCIAL COUNCILS, THREE VILLAGE COUNCILLERS OR LOCAL NOTABLES WILL BE CHOSEN BY LOT TO SERVE AS MEMBERS. UNQUOTE

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II. ARTICLE 10 APPROVED WITH FOLLOWING SENTENCE ADDED TO FIFTH PARAGRAPH: "TIME SPENT ABROAD ON OFFICIAL MISSION OR IN POLITICAL EXILE WILL BE CONSIDERED AS TIME SEPNT IN VIET NAM." IN DEBATE ON ARTICLE 10 DEPUTIES DEFEATED PROPOSAL BY GIAP VAN THAP THAT PRESIDENTIAL CANDIDATES BE CONSEDERED INELIGIBLE TO RUN FOR UPPER HOUSE.
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TO RUEHC/SECSTATE WASHDC
INFO RUMTBK/AMEMBASSY BANGKOK
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XXX... UPPER HOUSE.

12. ARTICLE 11 APROVED AFTER SLIGHT CHANGE IN FIRST SENTENCE OF FINAL PARAGRAPH. IT NOW READS: "THOSE WHO BEFORE APRIL 1, 1967, HAVE BEEN SENTENCED FOR CRIMINAL OFFENSES OF POLITICAL CHARACTER OR FOR POLITICAL REASONS, MAY APPEAL BY SEPTEMBER 4, 1967, AT THE LATEST, FOR A COUNCIL'S DECISION THAT THE SENTENCE PASSED UPON THEM IS ONE WHICH WOULD NOT PREVENT THEM FROM RUNNING."
13. ARTICLE 12 APPROVED WITHOUT CHANGE.

14. ARTICLE 13 APPROVED WITH SLIGHT CHANGE IN FIRST PARAGRAPH. FULL NAMES OF 10 RATHER THAN NINE CANDIDATES

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MUST BE SUBMITTED WITH APPLICATION FOR CANDIDACY.

15. ARTICLE 14 AS FINALLY APPROVED BY ASSEMBLY, READS AS FOLLOWS:
QUOTE ARTICLE 14 APPLICATIONS OF CANDIDATES WILL BE SUBMITTED TO THE OFFICE OF THE SPECIAL COMMISSIONER FOR ADMINISTRATION OR OF THE MINISTER OF INTERIOR FROM SEPTEMBER 9, 1967, THROUGH SEPTEMER 21, 1967, AND MUST BE FILED BY ONE OF THE CANDIDATES ON THE LIST, IN ADDITION TO THE APPLICATION, THE FOLLOWING DOCUMENTS OF EACH CANDIDATE MUST BE SUBMITTED:
(1) A BIRTH CERTIFICATE OR A DOCUMENT REPLACING IT.
(2) A 2 POLICE RECORD NOT OLDER THAN THREE MONTHS.
(3) A CERTIFICATE SHOWING THAT THE CANDIDATE HAS LIVED IN VIET NAM FOR AT LEAST THREE YEARS.

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(4) A CERTIFICATE THAT THE CANDIDATE HAS COMPLIED WITH MILITARY DRAFT REGULATIONS.
(5) SYMBOLS OF THE LIST AND TWO 4 BY 4 PHOTOGRAPHS.
(6) RECEIPT OF DEPOSIT FOR ELECTORAL CAMPAIGN EXPENSES PRESCRIBED IN ARTICLE 24.
(7) A LIST OF REPRESENTATIVES TO BE ASSIGNED TO THE

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CENTRAL ELECTION CAMPAIGN COMMITTEE PRESCRIBED IN ARTICLE 20.
(8) A CERTIFICATE ATTESTING TO VIETNAMESE NATURALIZATION OR RECOVERY OF VIETNAMESE CITIZENSHIP, IF THE CANDIDATE FALLS WITHIN THE CATEGORY PRESCRIBED BY PARAGRAPH 1 IN ARTICLE 10.
(9) WRITTEN PERMISSION TO TAKE LEAVE WITHOUT PAY IF THE CANDIDATE IS A CIVIL SERVANT OR MILITARY MAN.
(10) CANDIDATES WHO OCCUPY ELECTIVE POSITIONS FROM THE PROVINCIAL LEVEL UPWARDS NEED ONLY SUBMIT THEIR APPLICATION FOR CANDIDACY AND THE DOCUMENTS MENTIONED IN PARAGRAPHS 5, 6 AND 7.
THE OFFICE OF THE ADMINISTRATIVE AGENCY CONCERNED MUST IMMEDIATELY ISSUE A RECEIPT TO PERSONS MAKING APPLICATONS FOR CANDIDACY. UNQUOTE
16. ARTICLE 15 IS MODIFIED VERSION OF SECOND ARTICLE 14 REPORTED REFTEL. (COMMITTEE INADVERTENTLY ASSIGNED SAME NUMBER TO TWO CONSECUTIVE ARTICLES.) ARTICLE NOW READS: QUOTE ARTICLE 15 (1) LISTS OF CANDIDATES WILL BE ARRANGED ACCORDING TO THE SEQUENCE IN WHICH THEY FILE FOLLOWING HOUR, DAY AND MONTH.
(2) THE AGOVE LISTS WILL BE POSTED FOR THE FIRST TIME

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AT SAIGONCITY HALL ON SEPTEMBER 26, 1967.
(3) IN OTHER MUNICIPALITIES, PROVINCES, DISTRICTS, AND VILLAGES, LISTS WILL BE POSTED BY SEPTEMBER 30, 1967, AT THE LATEST.
(4) A RECORD OF THIS POSTING MUST BE KEPT. UNQUOTE
17. ARTICLE 16 DEBATED BRIEFLY BUT NO VOTE TAKEN. ASSEMBLY WILL RECONVENE MAY 27.
BUNKER
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